

## NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

### NOTICE OF RULEMAKING DOCKET OPENING

#### OFFICE OF THE SECRETARY OF STATE

- 1. Title and its heading:** 2, Administration  
**Chapter and its heading:** 14, Office of the Secretary of State  
**Article and its heading:** 1, General Provisions  
2, Acceptance and Refusal for Records  
3, UCC Information Management System  
4, Filing and Data Entry Procedures  
5, Search Requests and Reports  
6, Other Notices of Liens  
**Section numbers:** To be determined
- 2. The subject matter of the proposed rule:**  
These rules establish filing procedures pursuant to Revised Uniform Commercial Code, Article 9, outlined in A.R.S. § 47-9526 for the effective date of July 1, 2001.
- 3. A citation to all published notices relating to the proceeding:**  
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Connie Copeland  
Director of Business Services  
  
Address: Office of the Secretary of State  
Business Services Division  
1700 West Washington, 7th Floor  
Phoenix, AZ 85007-2888  
  
Telephone: (602) 542-5561  
Fax: (602) 542-7386
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
To be determined.
- 6. A timetable for agency decisions or actions on the proceeding, if known:**  
To be determined.

### NOTICE OF RULEMAKING DOCKET OPENING

#### DEPARTMENT OF HEALTH SERVICES

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 6, Department of Health Services - Communicable Diseases  
**Article and its heading:** 8, Assaults on Officers or Firefighters  
**Section numbers:** R9-6-801, R9-6-802, and R9-6-803  
(The Department may add, delete, or modify additional Sections as necessary.)

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**2. The subject matter of the proposed rule:**

The proposed rulemaking will add a new Article 8, entitled "Assaults on Officers or Firefighters." The new Article 8 will include three new Sections to implement A.R.S. § 13-1210. A.R.S. § 13-1210 provides a procedure whereby a law enforcement officer, correctional service officer, detention officer, private prison security officer, or firefighter or the officer or firefighter's employer can obtain a court-ordered test for the presence of blood-borne disease agents, including the human immunodeficiency virus, in the blood of an individual charged in a criminal complaint for interfering with the official duties of the officer or firefighter by biting, scratching, spitting, or transferring blood or other bodily fluids on or through the skin or membranes of the officer or firefighter. A.R.S. § 13-1210 make the Department of Health Services responsible for establishing the notification procedure to be used to provide such test results. The Department intends to create a definitions Section and two additional Sections that describe the notification procedure to be used. The Department may add, delete, or modify additional Sections as necessary.

**The agency docket number, if applicable:**

RE-004-01

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Christopher Brown  
Address: Department of Health Services  
Bureau of Epidemiology and Disease Control Services  
3815 North Black Canyon Highway  
Phoenix, Arizona 85015

Telephone: (602) 230-5819

Fax: (602) 230-5973

E-mail: cbrown@hs.state.az.us

or

Name: Kathleen Phillips  
Rules Administrator

Address: Department of Health Services  
1740 West Adams, Suite 102  
Phoenix, Arizona 85007

Telephone: (602) 542-1264

Fax: (602) 542-1090

E-mail: kphilli@hs.state.az.us

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Department will accept written comments until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF HEALTH SERVICES**

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 10, Department of Health Services - Health Care Institutions: Licensure  
**Article and its heading:** 2, General Hospitals  
3, Rural General Hospitals  
4, Special Hospitals  
(The Department may add, delete, or modify additional Articles as necessary.)  
**Section numbers:** R9-10-201 through R9-10-233, R9-10-301 through R9-10-335, R9-10-401 through R9-10-439 (The Department may add, delete, or modify additional Sections as necessary.)

**2. The subject matter of the proposed rule:**

The purpose of this rulemaking is to make new rules updating requirements for general hospitals, rural general hospitals, and special hospitals. The current rules are outdated, do not accurately reflect industry standards, and do not meet rulemaking requirements. The Department proposes to repeal Articles 2, 3, and 4, and make a new Article 2 which incorporates all hospital requirements. The new Article will reflect the recommended amendments identified in the Department's 5-Year-Review Report approved by the Governor's Regulatory Review Council on June 2, 1998. The Department may add, delete, or modify additional Articles and Sections as necessary.

**The agency docket number, if applicable:**

RE-006-01

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Vicki A. Conditt  
Address: Department of Health Services  
Assurance and Licensure Services  
1647 East Morten Avenue, Suite 230  
Phoenix, Arizona 85020

Telephone: (602) 674-4255

Fax: (602) 861-0674

or

Name: Kathleen Phillips  
Address: Department of Health Services  
1740 West Adams, Suite 102  
Phoenix, Arizona 85007

Telephone: (602) 542-1264

Fax: (602) 542-1090

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Written comments will be accepted until the close of record which has not yet been determined. If a public hearing is scheduled for these rules, oral public comments may be presented at that time.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

To be determined.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF HEALTH SERVICES**

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 14, Department of Health Services - Laboratories  
**Article and its heading:** 5, Tests For Metabolic Disorders and Hemoglobinopathies  
**Section numbers:** R9-14-501 through R9-14-505 (The Department may add, delete, or modify additional Sections as necessary.)
- 2. The subject matter of the proposed rule:**  
The proposed rulemaking will amend the heading of Article 5 to add endocrine disorders. R9-14-501 will be amended to clarify the definitions, add new definitions, and delete unnecessary definitions. R9-14-502 will be amended to add congenital adrenal hyperplasia in the list of newborn screening test, to make a second screening mandatory, and to make the rule clear, concise, and understandable. R9-14-503 will be amended to make a second screening mandatory and to make the rule clear, concise, and understandable. R9-14-505 will be amended to increase the fee for second screening from \$15.00 to \$20.00. The Department may add, delete, or modify additional Sections as necessary.  
  
**The agency docket number, if applicable:**  
RE-003-01
- 3. A citation to all published notices relating to the proceeding:**  
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Ruthann Smejkal, Ph.D.  
Address: Department of Health Services  
2927 North 35th Avenue  
Phoenix, Arizona 85017  
Telephone: (602) 364-1409  
Fax: (602) 364-1495  
E-mail: rsmejka@hs.state.az.us  
or  
Name: Kathleen Phillips  
Rules Administrator  
Address: Department of Health Services  
1740 West Adams, Suite 102  
Phoenix, Arizona 85007  
Telephone: (602) 542-1264  
Fax: (602) 542-1090  
E-mail: kphilli@hs.stat.az.us
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Department will accept written comments until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
None

## **NOTICE OF RULEMAKING DOCKET OPENING**

### **DEPARTMENT OF TRANSPORTATION - MOTOR VEHICLE DIVISION**

- 1. Title and its heading:** 17, Transportation  
**Chapter and its heading:** 4, Department of Transportation - Motor Vehicle Division  
**Article and its heading:** 7, Miscellaneous Rules  
**Section numbers:** R17-4-705 and R17-4- 706
- 2. Subject matter of the proposed rule:**

R17-4-705, Motorcycle noise level limits, establishes maximum motorcycle noise levels, as defined in federal statutes of the Environmental Protection Agency. The current rule reflects standards established in 1980 and will be updated with the latest standards.

R17-4-706, Motorcycle safety equipment, sets forth definitions and establishes requirements for motorcycle safety equipment for both operators and passengers. This rule does not reflect present statutory provisions.

Both rules are flawed, as noted in the agency's proposed actions in the 5-year review report (F-99-1202) and approved to the Governor's Regulatory Review Council December 7, 1999. The rules' revisions will correct substantive information, statutory references, and language to meet requirements of both GRRC and the Secretary of State.
- 3. A citation to all published notices relating to the proceeding:**

None
- 4. The name and address of agency personnel to whom persons may communicate regarding the rule:**

Name: Ellen Damron  
Rules Analyst

Address: 3737 North Seventh Street, Suite 160  
Phoenix, Arizona 85014

Telephone: (602) 712-6722

Fax: (602) 241-1624

E-mail: edamron@dot.state.az.us
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Written and oral comments may be made Monday through Friday, 8:00 a.m. through 4:30 p.m., at the address listed in #4.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**

To be determined

## **NOTICE OF RULEMAKING DOCKET OPENING**

### **DEPARTMENT OF ENVIRONMENTAL QUALITY**

- 1. Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 11, Department of Environmental Quality - Water Quality Standards  
**Article and its heading:** 6, Impaired Water Identification  
**Section numbers:** To be determined
- 2. Subject matter of the proposed rule:**

This rulemaking establishes a new Article dealing with the methodology required under A.R.S. § 49-232(C) to identify impaired waters and specify the factors required under A.R.S. § 49-233(C) for prioritizing navigable waters that require development of total maximum daily loads.
- 3. A citation to all published notices relating to the proceeding:**

None

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**4. The name and address of agency personnel to whom persons may communicate regarding the rule:**

Name: Shirley J. Conard  
Address: Department of Environmental Quality  
3033 North Central Avenue, M0401A-422  
Phoenix, Arizona 85012-2809  
Telephone: (602) 207-4632  
Fax: (602) 207-4674  
E-mail: conard.shirley@ev.state.az.us

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Written comments will be accepted at the location listed in question #4 between 8:00 a.m. and 5:00 p.m., Monday through Friday. Oral comments will be accepted at the location listed in question #4 between 8:00 a.m. and 5:00 p.m., Monday through Friday. Comments will be accepted until the close of record which has not yet been determined.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

None